REMARKS

This Amendment is submitted in response to the Office Action dated May 30, 2006, having a shortened statutory period set to expire August 30, 2006, and in response to a telephone interview with the Examiner on June 28, 2006. The courtesies extended by the Examiner in that telephone interview are noted with appreciation.

At page 11 of the present Office Action, the Examiner indicates that Claims 6, 12 and 17 would be allowable if rewritten in independent form. Accordingly, Applicant has amended Claims 1, 8 and 13 to incorporate the features of Claims 6, 12 and 17, respectively, which are canceled herein. In view of these amendments, Applicant respectfully submits that Claims 1-5, 8-11, 13-16 and 18-20 are now in condition for allowance.

At page 8 of the present Office Action, Claims 7 is rejected under 35 U.S.C. § 102 as unpatentable in view of U.S. Patent No. 5,889,714 to *Schumann et al. (Schumann)*. That rejection is respectfully traversed, and favorable reconsideration of Claim 7 is requested.

As discussed with the Examiner in the telephone interview of June 28, 2006, Applicant believes that Claim 7 is not rendered unpatentable by *Schumann* because that reference does not teach or suggest:

> one or more cache hierarchies ... [that] cache data retrieved from said system memory and communicate historical bank access information to said memory controller, said historical bank access information communicated to said memory controller including historical bank access information of memory access requests serviced by said one or more cache hierarchies rather than said memory controller (emphasis supplied).
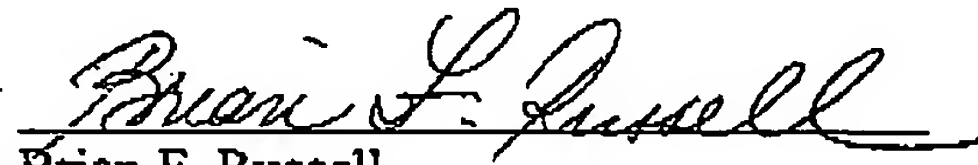
With respect to this feature of Claim 7, page 9 of the present Office Action cites col. 3, lines 18-20 of *Schumann* as generally disclosing communication between *Schumann's* processor 12 and cache 14 and main memory 20. However, this disclosure of basic communication does not teach or suggest the specific communication set forth in Claim 7, namely, the communication

of "historical bank access information of memory access requests serviced by said one or more cache hierarchies rather than said memory controller." Because such communication is not taught or suggested by *Schumann*, Applicant respectfully submits that Claim 7 is also patentable over the prior art of record.

Having now responded to each objection and rejection set forth in the present Office Action, Applicant believes all pending claims are now in condition for allowance and respectfully requests such allowance.

No additional fee is believed to be required. If, however, any additional fees are required, please charge those fees to IBM Corporation Deposit Account No. 09-0447.

Respectfully submitted,

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